

REMARKS

The Examiner has rejected Claims 1-3 and 5-19 under 35 U.S.C. 101 as being directed to non-statutory subject matter. Specifically, with respect to Claims 1-3, 5-15, and 18-19, the Examiner has stated that “[t]he instant claims neither transform underlying subject matter nor positively tie to another statutory category that accomplishes the claimed method steps, and therefore do not qualify as a statutory process.” Applicant respectfully disagrees but asserts that such rejection is avoided in view of the amendments made hereinabove to independent Claims 1 and 5.

Further, with respect to Claims 16-17, the Examiner has stated that “a ‘computer readable medium’ covers forms of non-transitory tangible media and transitory propagating signals per se” and that “[t]he specification does not describe what comprises a computer readable medium.” Applicant respectfully disagrees and asserts that, for example, applicant’s Specification on Page 5, line 27 discloses “a memory,” which is clearly an example of a “non-transitory computer readable medium,” as currently claimed. Of course, the above citation is merely an example of the above claim language and should not be construed as limiting in any manner. Additionally, applicant asserts that the aforementioned rejection is avoided in view of the amendments made hereinabove to independent Claims 16 and 17.

The Examiner is thanked for the allowable subject matter of Claim 15. The Examiner has objected to Claim 15 as being dependent upon a rejected base claim, and has stated that such claim would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant respectfully asserts that each of the independent claims have been amended to include the subject matter of former Claim 15 (along with the limitations of any intervening claims).

To this end, all of the independent claims are deemed allowable. Moreover, the remaining dependent claims are further deemed allowable, in view of their dependence on such independent claims.

In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at (408) 505-5100. The Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 50-1351 (Order No. NVIDP015A).

Respectfully submitted,
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